

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

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Department of Personnel and Administrative Reforms

Notification

1/2/81-PER.

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs Notification No. F.7(11)/62-Goa dated 25-7-1963, the Lt. Governor of Goa, Daman and Diu is pleased to make the following rules relating to recruitment to Group 'B' Gazetted posts of Biochemist and Pharmaceutical Chemist in the Institute of Psychiatry and Human Behaviour under the Government of Goa, Daman and Diu.

1. *Short title.* — These rules may be called Government of Goa, Daman and Diu, Institute of Psychiatry and Human Behaviour Group 'B' Gazetted posts of Biochemist and Pharmaceutical Chemist Recruitment Rules, 1982.

2. *Application.* — These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. *Number, classification and scales of pay.* — The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. *Method of recruitment, age limit and other qualifications.* — The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

5. *Disqualification.* — No person (1) who has entered into or contracted a marriage with a person having a spouse living; or (2) who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service; provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

6. *Power to relax.* — Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing and in consultation with the Union Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

7. *Saving.* — Nothing in these rules shall affect reservations, relaxation of age-limit and other concessions required to be provided for Scheduled Castes and Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

8. These rules will come into effect from the date of the Notification and will relate to appointments to the various posts made on or after this date.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (Personnel).

Panaji, 12th January, 1982.

SCHEDULE

Name of the post	No. of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Whether benefit of added years of service admissible under rule 30 of the C. C. S. (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age and Educational Qualifications prescribed for the direct recruit will apply in the case of promotees	Period of probation if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer is to be made	If a D. P. C. exists, what is its composition	Circumstances in which Union Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	(6a)	7	8	9	10	11	12	13
1. Bio-chemist.	1. (1981) Sub-ject to varia-tion depend-ent on work-load.	General Central Service Group 'B' Gazetted.	Rs. 650-30-740-35-810-EB-35-880-40-1000-EB-40-1200.	N. A.	Not exceed-ing 30 years (Relaxable upto 5 years for Govern-ment Ser-vants.).	No.	<p>Essential:</p> <p>i) Master's Degree in Bio-Chemistry or Chemistry with Bio-chemistry as a special subject of a recognised University or equivalent.</p> <p>ii) 3 years' research or Practical experience in Bio-chemical or Pathological Laboratory preferably of a Medical College or Hospital.</p> <p>Note 1: Qualifications are relaxable at the discretion of the U.P.S.C. in case of candidates otherwise well qualified.</p> <p>Note 2: The qualifica-tion(s) regarding expe-rience is/are relax-able at the discretion of the U.P.S.C. in the case of candidates be-longing to scheduled castes and Scheduled Tribes if, at any stage of selection, the U.P.S.C. is of the opi-nion that sufficient number of candidates from these communi-ties possessing the re-quisite experience are not likely to be avail-able to fill up the vacancies reserved for them.</p> <p>Desirable:</p> <p>i) Doctorate Degree in the relevant field from a recognised University or equi-valent.</p> <p>ii) Knowledge of Kon-kani and/or Marathi.</p>	N. A.	2 years	By direct recruit-ment.	N. A.	Group 'B' D. P. C. (for considering confirmation). 1. Chief Secre-tary-Chairman. 2. Administra-tive Secretary-Member. 3. Head of De-partment-Mem-ber.	Consultation with the Union Public Service Commis-sion ne-cessary while mak-ing di-rect re-cruitment and amen-ding/re-laxing any of the pro-visions of these rules.
					<p>Note: The crucial date for determi-ning the age limit shall be the clo-sing date for receipt of applica-tions from candidates in India (other than those in An-daman and Nicobar Is-lands and Lakshad-weep).</p>							<p>Note: The Pro-ceedings of the D.P.C. relating to confirmation shall be sent to the Commission for approval. If, however, these are not appro-ved by the Com-mission a fresh meeting of the D.P.C. to be presided over by the Chairman or a Member of the U.P.S.C. shall be held.</p>	

2. Pharmaceutical Chemist.

— do — — do — — do — — do — — do — — do —

Essential:

— do — — do — — do — — do — — do — — do —

- i) Master's Degree in Pharmaceutical, Chemistry/Organic Chemistry/Pharmacy/Analytical Chemistry of a recognised University or equivalent;
- ii) 3 years' experience in manufacturing pharmaceuticals preferably in a Medical College or Hospital.

Note 1: Qualifications are relaxable at the discretion of the U.P.S.C. in case of candidates otherwise well qualified.

Note 2: The qualification(s) regarding experience is/are relaxable at the discretion of the U.P.S.C. in the case of candidates belonging to scheduled castes and Scheduled Tribes if, at any stage of selection, the U.P.S.C. is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.

Desirable:

- i) Doctorate Degree in the relevant field from a recognised University or equivalent.
- ii) Knowledge of Konkani and/or Marathi.

Legislative Assembly of Goa, Daman and Diu

Legislature Department

LA/B/7/103/82

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 13th January, 1982 is hereby published for general information in pursuance of the provisions of Rule-136 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

The Goa, Daman and Diu Shops and Establishments
(Amendment) Bill, 1982

(Bill No. 2 of 1982)

A
BILL

to amend the provisions of the Goa, Daman and Diu
Shops and Establishments Act, 1974.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-Second Year of the Republic of India as follows:—

1. **Short title and commencement.**— (1) This Act may be called the Goa, Daman and Diu Shops and Establishments (Amendment) Act, 1982.

(2) It shall come into force at once.

2. **Amendment of section 24.**— In sub-section (1) of section 24 of the Goa, Daman and Diu Shops and Establishments Act, 1974 (13 of 1974) (hereinafter called "the principal Act"),—

(i) the expression "and on every such holiday, the establishment should remain closed" shall be omitted;

(ii) for the first proviso the following shall be substituted, namely:—

"provided that any employee in any establishment may be required to work in such establishment on any such holiday subject to the condition that in lieu thereof, a compensatory holiday with wages shall be allowed to such person within thirty days from the date of such holiday:".

3. **Amendment of section 61.**— In sub-section (1) of section 61 of the principal Act, after clause (c) the following shall be inserted, namely:—

"(ca) establishments which are known as gaddos, whether they are on wheels or permanently stationed at a place;".

Statement of Objects and Reasons

Section 24 of the Shops and Establishments Act, 1974 makes it compulsory for all establishments, including shops, to remain closed on certain holidays. This causes undue hardships to general public, as also tourists, as on such public holidays not even a single shop or establishment remains open. The present Bill seeks to amend the said section to enable the shopkeepers to keep open their shops, if they so desire, on such holidays provided that employees

made to work on such holidays are given a compensatory holiday with wages on any other day.

2. Similarly, the provisions of the Act are applicable to all shops, which include "gaddos" also. This is causing undue hardships to illiterate owners of such "gaddos" who does petty business. Therefore, it is proposed to exempt such gaddos from the provisions of the Act.

Financial Memorandum

No financial implications are involved in implementing the present Bill when it is enacted.

Panaji,
4th January, 1982

SHYAMSUNDER NEOGI
M. L. A.

Assembly Hall,
Panaji,
6th January, 1982.

M. M. NAIK
Secretary to the Legislative
Assembly of Goa, Daman and Diu.

(Annexure to Bill No. 2 of 1982)

The Goa, Daman and Diu Shops and Establishments
(Amendment) Bill, 1982

The Goa, Daman and Diu Shops and Establishments Act, 1973
(Act No. 17 of 1973)

24. **Other Holidays.**— (1) Every employee in any establishment shall also be entitled to seven holidays in a year with wages on the days to be specified by the notification from time to time by the Government which shall include the 26th January (Republic Day), 15th August (Independence Day), 2nd October (Gandhi Jayanti) and 19th December (Liberation Day) and 1st May; and on every such holiday, the establishment should remain closed:

Provided that any such employee in any residential hostel, restaurant, eating house, theatre, or any place of public amusement or entertainment may be required to work in such establishment on any such holiday subject to the condition that in lieu thereof, a compensatory holiday with wages shall be allowed to such person within thirty days from the date of such holiday:

Provided further that such compensatory holidays shall not exceed seven in a year and where any such employee in any such establishment is required to work on any such compensatory holiday, he shall be paid additional wages at the ordinary rate of wages in lieu of such holidays.

(2) Nothing in sub-section (1) shall apply in respect of any establishment where the number of holidays with wages allowed by the employer is more than the holidays notified by the Government under that sub-section:

Provided that every such employer shall send a list of holidays with wages allowed by him, which shall include the five holidays specified in sub-section (1), to the Inspector and shall also display the list at a prominent place of the establishment.

61. **Exemptions.**— (1) Nothing in this Act shall apply to—

(a) employees in any establishment whose average monthly wages exceed five hundred rupees;

(b) establishments under the Central and State Governments, local authorities, cantonment authorities, the Reserve Bank of India, a railway administration operating any railway as defined in clause (20) of article 366 of the Constitution;

(c) establishments in mines and oil fields;

- (d) establishments in bazaar or in places where fairs or festivals are held temporarily for a period not exceeding one month at a time.
- (2) Nothing in section 4 or section 10, as the case be, shall apply to—
- (a) hospitals and other institutions for treatment or care of the sick, the infirm, destitute or the mentally unfit;
- (b) such chemists' or druggists' shops as the Government may, by general or special order, specify;
- (c) hair-dressing shops, clubs and residential hotels, educational institutions, hostels attached to schools or colleges, and establishments maintained in connection with the boarding and lodging of pupils and resident masters;
- (d) stalls and refreshment rooms at railway stations, docks, wharves, ports, airports or bus stands;
- (e) establishments wholly or principally engaged in the sale of ice or aerated water;
- (f) establishments wholly or principally engaged in the sale of funeral requisites.
- (3) Nothing in sections 4, 5, 8 or 10 shall apply to—
- (a) persons whose work is of an intermittent nature such as caretaker, sweeper, travelling staff;
- (b) persons employed for loading and unloading goods at godowns.
- (4) The Government may, by notification, exempt either permanently or for any specified period, any establishment or class of establishments, or persons or classes of persons, from all or any of the provisions of this Act, subject to such condition as they may deem fit.
- (5) Notwithstanding anything contained in the foregoing sub-sections, the Government may, by notification, apply all or any of the provisions of this Act to any class of persons or establishments mentioned in those sub-sections other than those mentioned in clause (b) of sub-section (1) and modify or cancel any such notification.

Assembly Hall,
Panaji,
6th January, 1982

M. M. NAIK
Secretary to the Legislative Assembly
of Goa, Daman and Diu.